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## In the United States Patent and Trademark Office

OCT 07 2005

Appellants:	Maria E. de Leon, Andrew M. Long, Shirlee A. Weber	Docket No.:	19,245
Serial No.:	10/632,258	Group:	3751
Confirmation No.:	5492	Examiner:	Khoa D. Huynh
Filed:	July 31, 2003	Date:	October 7, 2005
For:	Mat Featuring A Removable Portion		

## Appeal Brief Transmittal Letter

Mail Stop Appeal Brief - Patents  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 41.37, transmitted herewith is an Appeal Brief pursuant to the Notice of Appeal which was submitted by facsimile transmission on August 10, 2005.

Please charge the \$500.00 fee (fee code 1402), pursuant to 37 C.F.R. 41.20(b)(2), which is due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

Respectfully submitted,

MARIA E. DE LEON ET AL.

By: Sebastian C. Pugliese III  
Sebastian C. Pugliese III  
Registration No.: 42,091

## CERTIFICATE OF TRANSMISSION

I, Mary L. Roberts, hereby certify that on October 7, 2005 this document is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

Typed or printed name of person signing this certificate:

Mary L. Roberts

Signature:

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**Brief on Appeal to the Board of Patent Appeals and Interferences**

Mail Stop Appeal Brief - Patents  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 41.37 Appellants respectfully submit this Brief in support of their Appeal of Examiner Huynh's **Final Rejection** of claims 1-4, 8, 11-19, 32 and 33 which was mailed on May 18, 2005.

On August 10, 2005, Appellants, pursuant to 37 C.F.R. 41.31 mailed a timely Notice of Appeal. Thus, the time period for filing this Brief ends on October 10, 2005.

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**Real Party in Interest**

The present Application has been assigned to the Kimberly-Clark Worldwide, Inc.

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**Related Appeals and Interferences**

There are no related appeals and interferences.

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**Status of the Claims**

Claims 1-33 remain in the application with claims 1-4, 8, 11-19, 32 and 33 being finally rejected.  
Claims 5-7, 9, 10 and 20-31 have been withdrawn.

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**Summary of the Invention For Each Independent Claim**

1. A disposable mat comprising a line of weakness that separates a removable portion of the disposable mat from the remainder of the mat. The disposable mat also comprises a holding mechanism on a face of the mat that increases resistance of the mat to movement on a planar surface.

32. A disposable mat comprising a line of weakness that separates a removable portion of the disposable mat from the remainder of the mat. One face of the mat is liquid impermeable, while the other face of the mat is absorbent. The disposable mat also comprises a holding mechanism on the liquid-impermeable face of the mat that increases resistance of the mat to movement on a planar surface. The mat also includes reference marks on the absorbent face of the mat to indicate where the feet of a user of the mat should be placed.

33. A disposable mat comprising a decorative graphic on the face of the mat. The decorative graphic on the mat has a theme that is related to the theme of article graphics on a disposable absorbent article.

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**Statement of Each Ground of Rejection Presented For Review**

1. First Ground of Rejection. By way of the Office Action mailed May 18, 2005, the Examiner, *for the first time*, rejected claim 33 under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. In a prior Office Action mailed October 19, 2004, the Examiner had rejected claims 8 and 9 under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. While the Examiner has not explicitly stated his position, it appears that he has withdrawn his earlier rejection of claims 8 and 9 in the face of Applicants' response to his assertions. Applicants have had no chance to respond to the Examiner's present § 112 ¶2 argument concerning claim 33, which we believe is improper.

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2. Second Ground of Rejection. By way of the Office Action mailed May 18, 2005, the Examiner rejected claim 33 under 35 U.S.C. § 102(b) as allegedly being anticipated and thus unpatentable over U.S. Patent No. 5,375,271, issued December 27, 1994, to Frankel (hereinafter "Frankel").

3. Third Ground of Rejection. By way of the Office Action mailed May 18, 2005, the Examiner rejected claims 1-3, 8 and 11 under 35 U.S.C. § 102(b) as allegedly being anticipated and thus unpatentable over U.S. Patent No. 4,675,015, issued December 27, 1994, to Brown (hereinafter "Brown").

4. Fourth Ground of Rejection. By way of the Office Action mailed May 18, 2005, the Examiner rejected claims 1 and 3 under 35 U.S.C. § 102(b) as allegedly being anticipated and thus unpatentable over U.S. Patent No. 6,174,581, issued January 16, 2001, to Barker (hereinafter "Barker").

5. Fifth Ground of Rejection. By way of the Office Action mailed May 18, 2005, the Examiner rejected claims 1, 3, 8 and 11 under 35 U.S.C. § 102(e) as allegedly being anticipated and thus unpatentable over U.S. Patent No. 6,763,531, issued July 20, 2004, to Huffman (hereinafter "Huffman").

6. Sixth Ground of Rejection. By way of the Office Action mailed May 18, 2004, the Examiner rejected claim 4 under 35 U.S.C. § 103(a) as allegedly being obvious to one of ordinary skill in the art at the time the invention was made and thus unpatentable over Brown.

7. Seventh Ground of Rejection. By way of the Office Action mailed May 18, 2005, the Examiner rejected claim 12 under 35 U.S.C. § 103(a) as allegedly being obvious to one of ordinary skill in the art at the time the invention was made and thus unpatentable over Huffman.

8. Eighth Ground of Rejection. In the Office Action mailed May 18, 2005, the Examiner rejects claims 13-17 and 32 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Barker in view of published Japanese Patent Application 2002165729A, published June 11, 2002 in the name of Yoshiharu (hereinafter "Yoshiharu").

9. Ninth Ground of Rejection. In the Office Action mailed May 18, 2005, the Examiner rejects claims 13-17 and 32 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Barker in view of

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published Japanese Patent Application 2002209799A, published July 30, 2002 in the name of Tokiko (hereinafter "Tokiko").

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## Argument

### 1. Rejection Under 35 U.S.C. § 112, Second Paragraph

With regard to claim 33, Applicants submit that the Examiner's rejection is improper. The Examiner appears to have misconstrued the import of an Applicant's election of a species for prosecution purposes. He appears to believe that election of a species eliminates, from the disclosure at the time of filing, any and all description directed to non-elected matter. This is not the case. There plainly is support in the written description, as filed, for the element "wherein said decorative graphic [i.e., the decorative graphic on said second face] is related to the theme of article graphics of a disposable article." For example, Figures 3 and 9, taken together, disclose a theme related to space. To the extent the Examiner is now arguing that Applicants' election of a species does not include claim 33, Examiner should have stated as such earlier—and should have given Applicants a chance to respond before issuing a final rejection. Therefore, Applicants respectfully request that the Board reverse the Examiner's rejection under 35 U.S.C. § 112, and that this rejection be withdrawn. Note: Applicants believe Examiner's objection to Figure 5, made for the first time in the most recent office action, is similarly misplaced. I.e., Examiner appears to believe that the election of a species for prosecution purposes has literally carved out, from the disclosure, any description directed to non-elected matter. Again, if the Examiner is now saying that claim 33 is not covered by Applicants' election of a species, he should have stated this.

### 2. Rejection Under 35 U.S.C. § 102

#### Frankel does not disclose each and every element of the claimed invention.

Frankel is directed to a bath mat having temperature related indicia imprinted on a top side surface. See Abstract. Claim 33 of the present invention is directed to a disposable mat including, *inter alia*, "[a]t least one decorative graphic located on said second face, wherein said at least one decorative graphic has a decorative graphic theme and wherein said decorative graphic theme is related to the theme of article graphics of a disposable absorbent article."

Applicants assert that the bath mat of Frankel fails to disclose a mat including decorative graphics having a decorative graphic theme where the decorative graphic theme is related to the theme of article graphics of a disposable absorbent article. On page 4 of the Office Action dated May 18,

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2005, the Examiner asserts that the bath mat disclosed in Frankel "has a theme which is the head of an elephant...and wherein the theme is related to the theme of the article graphics...which are bubbles coming out of the elephants head." Applicants disagree. Initially, Applicants assert that bubbles are not thematically related to an elephants head. While the bubbles may be coming out of the Elephant's trunk, they are not related via a common theme with the picture of the elephants head. Moreover, claim 33 sets forth that the article graphics are "of a disposable absorbent article." Frankel does not disclose the bath mat having graphics that have a decorative graphic theme related to the graphics on a separate item, let alone the article graphics of a disposable absorbent article, such as a child's training pant, as described on Page 15, lines 16-29 of the specification. Accordingly, for at least these reasons, Applicants submit that claim 33 is patentable over Frankel.

### **3. Rejection Under 35 U.S.C. § 102**

#### **Brown does not disclose each and every element of the claimed invention.**

Brown is directed to a disposable diaper having a separable panel formed in its front portion over the umbilical area of an infant. See Abstract. Claim 1 of the present invention is directed to a disposable mat including, *inter alia*, a holding mechanism configured to increase resistance of the mat to movement when the first face of the mat is placed upon a planar surface.

On page 5 of the Office Action dated May 18, 2005, the Examiner asserts that "the Brown article...is capable of being used as a mat if so desire (*sic*, desired)." The Examiner also believes that the adhesive tabs of Brown disclose a holding mechanism. Applicants disagree. The disposable diaper of Brown does not disclose the disposable mat of the present invention. In particular, the diaper of Brown is intended to be placed around the bottom of an infant (Col. 1, lines line 54). Thus, such an article does not disclose and is not suited for use as a disposable mat.

In addition, the adhesive tabs 13 of Brown do not disclose a holding mechanism configured to increase the resistance of the mat to movement when the first face of the mat is placed upon a planar surface. Instead, as set forth in Col. 1, lines 54-57 of Brown, the adhesive tabs fasten the front and back portions of the diaper together about the wearers waist, which is also illustrated in Fig. 1 of Brown. As such, the adhesive tabs 13 are not configured to increase resistance when the first face of the diaper (which the examiner asserts is the outer layer 25 of the diaper) is placed upon a planar surface as the adhesive would not be contacting the planar surface. Thus, for at least these reasons, Applicants submit that independent claim 1 is patentable over Brown. Moreover, claims 2, 3, 8 and 11, which all eventually depend from claim 1, are also accordingly patentable over Brown.

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#### **4. Rejection Under 35 U.S.C. § 102**

##### **Barker does not disclose each and every element of the claimed invention.**

Barker is directed to a toilet skirt for being positioned around a toilet base and absorbing any moisture that collects thereat. See Abstract. Claim 1 of the present invention is directed to a disposable mat including, *inter alia*, at least one line of weakness being configured to allow the separation of a removable portion from the disposable mat and a holding mechanism configured to increase resistance of the mat to movement when the first face of the mat is placed upon a planar surface.

On page 5 of the Office Action dated May 18, 2005, the Examiner asserts that the toilet skirt of Barker discloses "at least one line of weakness (30) being configured to allow the separation of a removable portion from the mat and a holding mechanism (col. 1, lines 59-60)." Applicants disagree. The toilet skirt of Barker does not disclose at least one line of weakness being configured to allow the separation of a removable portion from the disposable mat as asserted by the Examiner. Instead, Barker, at Col. 2, lines 36-40 and in Fig. 3, discloses that the perforation seam 30 is torn and a portion of the top layer 14 are flipped upwardly (emphasis added). As such, Barker does not include a removable portion that is separated from the disposable mat.

Further, the fact that Barker discloses "[i]f necessary, the flipped up portion can be taped or otherwise adhered to the toilet" (Col. 1, lines 59-60) does not disclose a disposable mat comprising a holding mechanism configured to increase the resistance of the mat to movement. That is, Barker does not disclose a disposable mat that includes a holding mechanism, but instead discloses a toilet skirt that may be "taped" or otherwise adhered to the toilet. Still further, such taping or adhering of the toilet skirt to the toilet does not disclose a holding mechanism configured to increase the resistance of the mat to movement when the first face of the mat is placed upon a planar surface. In particular, as stated by the Federal Circuit, "[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claim invention, arranged as in the claim." *Lindermann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). As set forth above, Barker clearly does not disclose each and every element of the claimed invention arranged as in the claim. Thus, for at least these reasons, Applicants submit that independent claim 1 is patentable over Barker. Moreover, claim 3, which eventually depends from claim 1, is also accordingly patentable over Barker.

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### **5. Rejection Under 35 U.S.C. § 102**

**Huffman does not disclose each and every element of the claimed invention.**

Huffman is directed to a method for the containment of fluids that flow from a bowl of a commode installed in an aircraft lavatory. See Abstract. Claim 1 of the present invention is directed to a disposable mat including, *inter alia*, at least one line of weakness being configured to allow the separation of a removable portion from the disposable mat and a holding mechanism configured to increase resistance of the mat to movement when the first face of the mat is placed upon a planar surface.

On page 6 of the Office Action dated May 18, 2005, the Examiner asserts that the apron of Huffman discloses "a holding mechanism (60)." Applicants disagree. Huffman, at Col. 3, lines 18-20 discloses that "fastening points 60 are used to secure...the apron 10 to fixed anchors 90." As such, Huffman does not disclose a mat including a holding mechanism configured to increase the resistance of the mat to movement when the first face of the mat is placed upon a planar surface. That is, the fastening points 60 of Huffman do not increase the resistance of the mat to movement but must instead be secured to fixed anchors. As mentioned, the Federal Circuit has stated that "[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claim invention, arranged as in the claim." *Lindermann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). Thus, as described above, Huffman clearly does not disclose each and every element of the claimed invention arranged as in the claim. Thus, for at least these reasons, Applicants submit that independent claim 1 is patentable over Huffman. Moreover, claims 3, 8 and 11, which eventually depend from claim 1, are also accordingly patentable over Huffman.

### **6. Rejection Under 35 U.S.C. § 103**

**Brown does not teach or suggest each and every element of the claims.**

Claim 4 depends from claim 1 and further recites that the at least one line of weakness is provided by ultrasonic bonds. In order to establish a *prima facie* case of obviousness, three basic criteria must be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP §2143.



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The Examiner acknowledges that Brown does not disclose that the at least one line of weakness is provided by ultrasonic bonds. Moreover, as discussed above in connection with the rejection of claim 1 over Brown, Applicants assert that Brown fails to teach or suggest a disposable mat or a disposable mat including a holding mechanism. Instead, Brown teaches away from such a disposable mat by disclosing a diaper including front and back portions that are fastened by adhesive tabs 13 on either side of an infant's waist. Accordingly, Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness in rejecting claim 4. Thus, for at least these reasons, Applicants submit that claim 4 is patentable over Brown.

#### **7. Rejection Under 35 U.S.C. § 103**

Huffman does not teach or suggest each and every element of the claims.

Claim 12 eventually depends from claim 1 and further recites that at least a portion of the opening is at least 22 cm wide. The criteria for a *prima facie* case of obviousness are set forth above. The Examiner acknowledges that Huffman fails to disclose that at least a portion of the opening is at least 22 cm wide. Moreover, as discussed above in connection with the rejection of claim 1 over Huffman, Applicants assert that Huffman fails to teach or suggest a disposable mat including a holding mechanism configured to increase the resistance of the mat to movement when the first face of the mat is placed upon a planar surface. Instead, Huffman teaches away from such a disposable mat by disclosing an apron having fastening points that are secured to fixed anchors. Accordingly, Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness in rejecting claim 12. Thus, for at least these reasons, Applicants submit that claim 12 is patentable over Huffman.

#### **8. Rejection Under 35 U.S.C. § 103**

Barker and Yoshiharu, alone or in combination, do not teach or suggest each and every element of the claims.

The Examiner acknowledges that Barker fails to disclose the disposable mat of the present invention including a pair of first reference marks. The Examiner believes that Yoshiharu discloses a mat for use at a urination station including a pair of reference marks. The Examiner believes it would have been obvious to one of ordinary skill in the art to have modified the Barker mat with the reference marks of Yoshiharu.

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Claims 13-17 all eventually depend from claim 1, and therefore include the element of a removable portion that is separated from the disposable mat and a holding mechanism configured to increase the resistance of the mat to movement. Similarly, claim 32 also includes these limitations. For the reasons previously provided herein, Barker does not teach or suggest the disposable mat claimed of claim 1 or claim 32. In addition, Yoshiharu fails to correct the deficiencies of Barker. That is, Yoshiharu fails to teach or suggest a mat with a removable portion that is separated from the disposable mat and a holding mechanism configured to increase the resistance of the mat to movement. Therefore, the combination of Barker and Yoshiharu cannot teach or suggest the disposable mat of claims 13-17 and 32. Accordingly, for at least these reasons, Applicants respectfully submit that claims 13-17 and 32 are patentable over Barker in view of Yoshiharu.

#### **9. Rejection Under 35 U.S.C. § 103**

**Barker and Tokiko, alone or in combination, do not teach or suggest each and every element of the claims.**

The Examiner acknowledges that Barker fails to disclose the disposable mat of the present invention including a decorative graphic.

The Examiner believes that Tokiko discloses a mat for protecting the floor including a decorative graphic. The Examiner believes it would have been obvious to one of ordinary skill in the art to have modified the Barker mat with the decorative graphics of Tokiko.

Claims 18 and 19 eventually depend from claim 1, and therefore include the element of a removable portion that is separated from the disposable mat. For the reasons previously provided herein, Barker does not teach or suggest the disposable mat claimed of claim 1. In addition, Yoshiharu fails to correct the deficiencies of Barker. That is, Tokiko fails to teach or suggest a mat with a removable portion that is separated from the disposable mat. Therefore, the combination of Barker and Yoshiharu cannot teach or suggest the disposable mat of claims 18 and 19.

Further, Claim 18 also includes the elements of the at least one decorative graphic has a decorative graphic theme and the pair of first reference marks are provided by a set of first graphics, and where the set of first graphics are related to said decorative graphic theme. Neither Barker nor Tokiko, alone or in combination teach or suggest first reference marks, let alone the elements of the first reference marks being provided by a set of first graphics where the set of first graphics are related to said decorative graphic theme.

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Still Further, claim 19 depends from claim 18 and further recites that the decorative graphic theme is related to the theme of article graphics of a disposable absorbent article. Neither Barker nor Tokiko, alone or in combination teach or suggest a disposable absorbent article including article graphics, let alone a mat including a decorative graphic theme that is related to the theme of article graphics of a disposable absorbent article. Accordingly, for at least these reasons, Applicants respectfully submit that claims 18 and 19 are patentable over Barker in view of Tokiko.

In conclusion, and in view of the above remarks, the Board's reversal of the Examiner's rejections under 35 U.S.C. §§ 112, 102 and 103 is respectfully requested. Moreover, it is respectfully submitted that all of the presently presented claims are in condition for allowance and such action is earnestly solicited. Applicants will timely address any outstanding objections at the conclusion of this appeal.

#### Conclusion

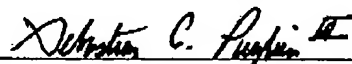
For the reasons stated above it is Appellants' position that the Examiner's rejection of claims has been shown to be untenable and should be **reversed** by the Board.

Please charge the \$500.00 fee (fee code 1402), pursuant to 37 C.F.R. 41.20(b)(2), for filing this Appeal Brief to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875. Any additional prosecutorial fees which are due may also be charged to deposit account number 11-0875.

The undersigned may be reached at: (920) 721-2747

Respectfully submitted,

MARIA E. DE LEON ET AL.

By:   
Sebastian C. Pugliese III  
Registration No.: 42,091

#### CERTIFICATE OF TRANSMISSION

I, Mary L. Roberts, hereby certify that on October 7, 2005 this document is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

  
Mary L. Roberts

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**Appendix – The Claims On Appeal**

The claims on appeal are:

1. (Original) A disposable mat defining a longitudinal direction, a lateral direction and at least one edge, said disposable mat comprising:

A first face;

A second face opposite said first face;

At least one line of weakness, said at least one line of weakness being configured to allow the separation of a removable portion from said disposable mat; and

A holding mechanism configured to increase the resistance of said mat to movement when said first face of said mat is placed upon a planar surface.

2. (Original) The mat of claim 1 wherein said first face is liquid impermeable.

3. (Original) The mat of claim 1 wherein said at least one line of weakness is provided by perforations.

4. (Original) The mat of claim 1 wherein said at least one line of weakness is provided by ultrasonic bonds.

5. (Withdrawn) The mat of claim 1 wherein said at least one line of weakness intersects with said at least one edge in at least two points.

6. (Withdrawn) The mat of claim 1 further comprising a plurality of lines of weakness.

7. (Withdrawn) The mat of claim 6 further comprising a first end edge and a second end edge and wherein a first line of weakness is located adjacent a first end edge and a second line of weakness is located adjacent a second end edge.

8. (Original) The mat of claim 1 wherein said at least one line of weakness is curvilinear.

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9. (Withdrawn) The mat of claim 1 wherein said at least one line of weakness is shaped such that upon separating said removable portion, said mat includes a pair of laterally spaced extensions.

10. (Withdrawn) The mat of claim 9 wherein said laterally spaced extensions are separated by at least 22 cm in said lateral direction.

11. (Original) The mat of claim 1 further defining a mat perimeter, and wherein said at least one line of weakness is shaped such that upon separating said removable portion from said mat, said mat includes an opening within said mat perimeter.

12. (Original) The mat of claim 11 wherein at least a portion of said opening is at least 22 cm wide.

13. (Original) The mat of claim 1 further comprising a pair of first reference marks located on said second face and wherein said pair of first reference marks is configured to indicate where the feet of the user should be placed when the user is toileting.

14. (Original) The mat of claim 13 wherein said pair of first reference marks is each located a first substantially equal distance from said at least one line of weakness.

15. (Original) The mat of claim 14 wherein said first substantially equal distance is between 5 cm and 22 cm.

16. (Original) The mat of claim 13 wherein each of said pair of first reference marks are provided by a set of first graphics and wherein said set of first graphics are substantially similar.

17. (Original) The mat of claim 13 wherein said pair of first reference marks are depicted by a pair of foot prints.

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18. (Original) The mat of claim 13 further comprising at least one decorative graphic located on said second face, wherein said at least one decorative graphic has a decorative graphic theme and said pair of first reference marks are provided by a set of first graphics, and wherein said set of first graphics are related to said decorative graphic theme.

19. (Original) The mat of claim 18 wherein said decorative graphic theme is related to the theme of article graphics of a disposable absorbent article.

20. (Withdrawn) The mat of claim 1 further comprising

a pair of first reference marks located on said second face; and

a pair of second reference marks located on said second face;

wherein said pair of first reference marks are configured to indicate where the feet of the user should be placed when the user is standing when toileting, and wherein said pair of second reference marks are configured to indicate where the feet of the user should be placed when the user is sitting when toileting.

21. (Withdrawn) The mat of claim 20 wherein said pair of first reference marks are provided by a set of first graphics and said pair of second reference marks are provided by a pair of second graphics that are different than said set of first graphics.

22. (Withdrawn) The mat of claim 20 wherein said pair of first reference marks are each located a first substantially equal distance from said first line of weakness and said pair of second reference marks are each located a second substantially equal distance from said first line of weakness, and wherein said first substantially equal distance is between 5 cm and 22 cm and said second substantially equal distance is between 12 cm and 30 cm.

23. (Withdrawn) The mat of claim 1 further comprising a pair of first reference marks located on said second face and a potty location mark located on said second face wherein said pair of first reference marks is each located a first substantially equal distance from said potty location mark.

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24. (Withdrawn) The mat of claim 1 further comprising:

a first line of weakness;

a second line of weakness located in an opposing area of said mat;

a pair of first reference marks located on said second face; and

a pair of second reference marks located on said second face;

wherein said pair of first reference marks are each located a first substantially equal distance from said first line of weakness and said pair of second reference marks are each located a substantially equal second distance from said second line of weakness, and wherein said pair of first reference marks are configured to indicate where the feet of the user should be placed when the user is standing when toileting, and wherein said pair of second reference marks are configured to indicate where the feet of the user should be placed when the user is sitting when toileting.

25. (Withdrawn) The mat of claim 1 wherein said holding mechanism is at least one weight attached to said mat.

26. (Withdrawn) The mat of claim 1 wherein said holding mechanism provides a static coefficient of friction of at least 0.5 as defined by the coefficient of friction test set forth herein.

27. (Withdrawn) The mat of claim 26 wherein said holding mechanism is provided by said first face.

28. (Withdrawn) The mat of claim 1 wherein said second face is relatively more absorbent than said first face.

29. (Withdrawn) The mat of claim 1 wherein said second face is absorbent at least adjacent said line of weakness.

30. (Withdrawn) The mat of claim 1 wherein said mat is provided by at least two layers of material.

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31. (Withdrawn) The mat of claim 1 wherein said mat has a substantially rectilinear shape.

32. (Original) A disposable mat defining a longitudinal direction; a lateral direction; a pair of side edges that are parallel to said longitudinal direction and a pair of end edges that are parallel to said lateral direction, said disposable mat comprising:

An operatively liquid impermeable first face;

An absorbent second face opposite said first face;

At least one line of weakness, said at least one line of weakness being configured to allow the removal of a portion of said disposable mat;

A holding mechanism configured to increase the resistance of said mat to movement when said first face of said mat is placed upon a planar surface; and

A pair of first reference marks located on said second face, said pair of first reference marks being configured to indicate where the feet of the user should be placed when the user is toileting.

33. (Original) A disposable mat defining a longitudinal direction; a lateral direction; and at least one edge; said disposable mat comprising:

A first face;

A second face opposite said first face;

At least one decorative graphic located on said second face, wherein said at least one decorative graphic has a decorative graphic theme and wherein said decorative graphic theme is related to the theme of article graphics of a disposable absorbent article.

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#### **Evidence Appendix**

There is no evidence.

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#### **Related Proceedings Appendix**

There are no related proceedings.